

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

GLOBAL MARINE SYSTEMS LIMITED,

Plaintiff,

v.

Case No.: 05-11605 RGS

TYCO TELECOMMUNICATIONS (U.S.)
INC., TRANSOCEANIC CABLE SHIP CO.
INC.,

Defendants.

**PLAINTIFF'S MOTION TO
IMPOUND CONFIDENTIAL INFORMATION**

Plaintiff Global Marine Systems Limited ("Global Marine") hereby moves, pursuant to Local Rule 7.2, that the Court impound the Declaration of Mark S. Freeman in Support of Global Marine System Limited's Opposition to Defendants' Response Pursuant to Federal Rule of Civil Procedure 56(f).

Grounds for this motion are that:

1. The parties to this action entered into a Stipulated Protective Order on January 20, 2006, which was then entered by the Court.
2. Pursuant to this Stipulated Protective Order, the parties agreed that they could designate documents and other discovery materials containing technical specifications and other information as "CONFIDENTIAL" or "HIGHLY CONFIDENTIAL".
3. The Declaration of Mark S. Freeman in Support of Global Marine System Limited's Opposition to Defendants' Response Pursuant to Federal Rule of Civil Procedure 56(f) contains documents and information that the defendants have designated "CONFIDENTIAL"

and “HIGHLY CONFIDENTIAL” pursuant to the Stipulated Protective Order. The Stipulated Protective Order provides that when such information is filed with the Court, it shall be filed under seal.

WHEREFORE, Global Marine respectfully requests that the Court impound the Declaration of Mark S. Freeman in Support of Global Marine System Limited’s Opposition to Defendants’ Response Pursuant to Federal Rule of Civil Procedure 56(f), until further order of the Court, and return it to outside counsel for Global Marine upon the conclusion of such custody. In addition, Global Marine respectfully requests that the Court accept the Declaration of Mark S. Freeman in Support of Global Marine System Limited’s Opposition to Defendants’ Response Pursuant to Federal Rule of Civil Procedure 56(f) provisionally under seal pending the Court’s ruling on this Motion.

Respectfully submitted,

GLOBAL MARINE SYSTEMS LIMITED,
By its attorneys,

/s/ Mark S. Freeman

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Dated: September 8, 2006

LOCAL RULE 7.1 CERTIFICATION

The undersigned hereby certifies that counsel for Plaintiff has conferred with counsel for Defendants, and counsel for Defendants informed counsel for Plaintiff that the Defendants do not oppose this Motion.

/s/ Mark S. Freeman
Mark S. Freeman

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECT system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on September 8, 2006.

/s/ Mark S. Freeman
Mark S. Freeman